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PTO/SB/05 (2/98)

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for nonprovisional applications under 37 CFR § 1.53(b))

Attorney Docket No.

MYKR1360-1

First Inventor or Application Identifier

David M. Albert, et al.

Title

**SYSTEM AND METHOD OF OPERATION OF AN EMBEDDED  
SYSTEM FOR A DIGITAL CAPACITANCE DIAPHRAGM  
GAUGE**

Express Mail Label No.

EV351128154US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

**Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

1. ☒ Fee Transmittal for FY 2004  
(Submit an original and a duplicate for fee processing)

2. ☒ Specification [Total Pages] **26**  
(preferred arrangement set forth below)  
☒ Descriptive Title of the Invention  
☒ Cross References to Related Applications  
☒ Background of the Invention  
☒ Summary of the Invention  
☒ Brief Description of the Drawings (if filed)  
☒ Description of Preferred Embodiments

☐ References☒ Claim(s)☒ Abstract of the Disclosure

3. ☒ Drawing(s) (35 USC 113) [Total Sheets] **3**

4. ☒ Oath or Declaration (from parent) **2**  
[Total Pages]  
a. ☒ executed (original or copy) (from parent)  
b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 17 completed)

- i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting  
inventor(s) named in the prior application,  
see 37 CFR 1.63(d)(2) and 1.33(b)

5. ☐ Incorporation By Reference (useable if box 4b is checked).  
The entire disclosure of the prior application, from  
which a copy of the oath or declaration is supplied  
under Box 4b, is considered to be part of the disclosure  
of the accompanying application and is hereby  
incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)  
7. Nucleotide and Amino Acid Sequence Submission  
(if applicable, all necessary)  
a. ☐ Computer-Readable Copy  
b. ☐ Paper Copy (identical to computer copy)  
c. ☐ Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

8. ☒ Assignment Papers (cover sheet & document(s))  
9. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney  
(when there is an assignee)  
10. ☐ English Translation Document (if applicable)  
11. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS  
Citations  
12. ☒ Preliminary Amendment  
13. ☒ Return Receipt Postcard  
14. ☐ Small Entity ☐ Statement filed in prior application,  
Status still proper and desired  
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)  
16. ☒ Other: Certificate of Mailing; Filing Fee;

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment

☐ Continuation ☒ Divisional ☐ Continuation-In-Part (CIP) of prior Application No.: **10/063,991**

Prior application information: Examiner **Oen, William L.**Group / Art Unit **2855**☐ Claims the benefit of Provisional Application No.**CORRESPONDENCE ADDRESS:**

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**25094**TYPED or PRINTED NAME **John L. Adair**REGISTRATION NO. **48,828**

SIGNATURE

DATE: **May 18, 2004**

*Patent fees are subject to annual revision.*

<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$)<u>860.00</u></b>
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Application Number	Unknown
Filing Date	Unknown
First Named Inventor	David M. Albert, et al.
Examiner Name	Unknown
Group Art Unit	Unknown
Attorney Docket No.	MYKR1360-1
Express Mail Label No.	EV351128154US

☒ Check    ☐ Credit Card    ☐ Money Order    ☐ Other    ☐ None

50-0456

**Gray Cary Ware & Freidenrich LLP**

**The Commissioner is authorized to:** *(check all that apply)*

☐ Charge (fees) indicated below. ☐ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for filing fee to the above-identified deposit account.

**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	770.00
1002	330	2002	165	Design filing fee	
1003	510	2003	255	Plant filing fee	
1004	740	2004	370	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

**SUBTOTAL (1) (\$)**770.00

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	25 - 20** = 5	18.00	90.00

Independent Claims  $\overline{1} \cdot 3^{**} = \overline{0} \times \overline{86.00} = \overline{0.00}$

Multiple Dependent  $X \square = \square$ 

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2002	9	Claims in excess of 20
1201	84	2001	42	Independent claims in excess of 3
1203	280	2003	140	Multiple dependent claim, if not paid
1204	80	2004	42	** Reissue independent claims over original patent
1205	18	2005	9	** Reissue claims in excess of 20 and over original patent

<b>SUBTOTAL (2)</b>	<b>(\$)</b>	<b>90.00</b>
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**\*\*or number previously paid, if greater; For Reissues, see above**

**FEE CALCULATION** (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	400	2252	200	Extension for reply within second month	
1253	920	2253	460	Extension for reply within third month	
1254	1,440	2254	720	Extension for reply within fourth month	
1255	1,960	2255	980	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive – unavoidable	
1453	1,280	2453	640	Petition to revive – unintentional	
1501	1,280	2501	640	Utility issue fee (or reissue)	
1502	460	2502	230	Design issue fee	
1503	620	2503	310	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	740	2809	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	740	2810	370	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	740	2801	370	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) | (\$)**

## SUBMITTED BY

Complete( if applicable)

Name (Print/Type)

**John L. Adair**

Registration No.  
(Attorney/Agent)

**48,828**

**Telephone**

**512-457-7142**

**Signature**

*Date*

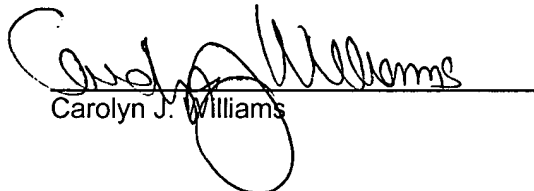
May 18, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL"</b>	Atty Docket No. (Optional) <b>MYKR1360-1</b>
<b>Mail Stop: Patent Application</b> Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450  Dear Sir:	In the Application of: <b>David M. Albert, et al.</b>
	Date Filed: <b>May 19, 2004</b>
	Title: <b>System and Method of Operation of an Embedded System for a Digital Capacitance Diaphragm Gauge</b>

I hereby certify that the attached Divisional Patent Application Transmittal Form, Fee Transmittal, Preliminary Amendment, copy of the executed Declaration and Power of Attorney and Election and Power of Attorney from parent, copy of the executed Assignment document from parent, copy of the Utility Patent Application from parent, copies of Informal Drawings from parent, Information Disclosure Statement and PTO 1449 and references, Filing Fee and Postcard are being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 C.F.R. § 1.10, Mailing Label Certificate No. EV351128154US, on **May 19, 2004** addressed to: **Mail Stop Patent Application**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Respectfully submitted,

**Gray Cary Ware & Freidenrich LLP**

  
 Carolyn J. Williams